

**IN THE UNITED STATES RECEIVING OFFICE
UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Richard Mertens and Olaf Höller
Application Serial No.: To be assigned
Filed: November 25, 2003
For: **SUPERABSORBENT POLYMERS, PREPARATION THEREOF AND USE
THEREOF**

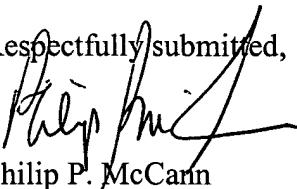
Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

In accordance with 37 C.F.R. § 1.56, counsel wishes to make of record the attached items of information for the Examiner's consideration in connection with this application. Also enclosed is form PTO/SB/08A for the Examiner's convenience in making such consideration of record. Inclusion herein of any particular item of information is not to be construed as an admission that same is prior art.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-2190.

Respectfully submitted,



Philip P. McCann
Registration No. 30,919

Smith Moore LLP
P.O. Box 21927
Greensboro, NC 27420
(336) 378-5302

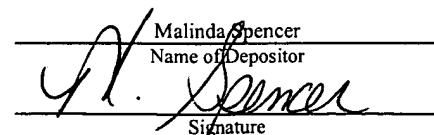
Date: November 25, 2003

File No.: 5003073-049US1

CERTIFICATE OF EXPRESS MAILING

I HEREBY CERTIFY THAT THIS DOCUMENT IS
BEING DEPOSITED WITH THE UNITED STATES
POSTAL SERVICE VIA EXPRESS MAIL IN AN
ENVELOPE ADDRESSED TO:
**COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313, ON November 25, 2003**
Date of Deposit)

Malinda Spencer
Name of Depositor



Signature

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 4

Complete if Known

| | |
|------------------------|-------------------|
| Application Number | To be assigned |
| Filing Date | November 25, 2003 |
| First Named Inventor | Richard Mertens |
| Group Art Unit | To be assigned |
| Examiner Name | To be assigned |
| Attorney Docket Number | 5003073-049US1 |

U.S. PATENT DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|------------------------|--------------------------|--|--------------------------------|--|---|
| | | Number - Kind Code ² (if known) | | | |
| | 1 | US- RE 31,323 | 7/26/1983 | Marder et al. | |
| | 2 | US- RE 32,649 | 4/19/1988 | Brandt et al. | |
| | 3 | US- 2,639,239 | 5/19/1953 | E. S. Elliott | |
| | 4 | US- 3,247,171 | 4/19/1966 | The Dow Chemical Co. | |
| | 5 | US- 3,589,364 | 6/29/1971 | Dean et al. | |
| | 6 | US- 4,043,952 | 8/23/1977 | Ganslaw et al. | |
| | 7 | US- 4,051,086 | 9/27/1977 | Reid | |
| | 8 | US- 4,640,810 | 2/3/1987 | Laursen et al. | |
| | 9 | US- 4,689,408 | 8/25/1987 | Gelman et al. | |
| | 10 | US- 4,952,550 | 8/28/1990 | Wallach et al. | |
| | 11 | US- 4,959,341 | 9/25/1990 | Wallach | |
| | 12 | US- 5,247,072 | 9/21/1993 | Ning et al. | |
| | 13 | US- 5,247,964 | 9/28/1993 | DeLange | |
| | 14 | US- 5,252,340 | 10/12/1993 | Honeycutt | |
| | 15 | US- 5,470,964 | 11/28/1995 | Qin | |
| | 16 | US- 5,532,350 | 7/2/1996 | Cottrell et al. | |
| | 17 | US- 5,550,189 | 8/27/1996 | Qin et al. | |
| | 18 | US- 5,669,894 | 9/23/1997 | Goldman et al. | |
| | 19 | US- 5,807,116 | 9/15/1998 | Kitatani et al. | |
| | 20 | US- 5,811,531 | 9/22/1998 | Iguchi et al. | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|---|-----------------------------------|---|--|----------------|
| | | Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | | | | |
| | 21 | DE 42 06 857 A1 | 3/5/1992 | Chemische | | |
| | 22 | DE 44 18 319 A1 | 5/26/1994 | Chemische | | |
| | 23 | DE 195 05 709 A1 | 2/20/1995 | Chemische | | |
| | 24 | DE 196 54 745 A1 | 12/30/1996 | Lechner, M.D. | | |
| | 25 | DE 197 50 890 A1 | 11/18/1997 | Maksimow, A. | | |
| | 26 | DE 198 07 501 C1 | 2/21/1998 | Clariant | | |
| | 27 | DE 198 07 504 A1 | 2/21/1998 | BASF AG | | |
| | 28 | DE 199 09 653 A1 | 3/5/1999 | Stockhausen | | |
| | 29 | EP 0 538 904 A2 | 4/28/1993 | Kimberly-Clark | | |

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

| | | | |
|-------|---|----|---|
| Sheet | 2 | of | 4 |
|-------|---|----|---|

Complete if Known

| | |
|------------------------|-------------------|
| Application Number | To be assigned |
| Filing Date | November 24, 2003 |
| First Named Inventor | Richard Mertens |
| Group Art Unit | To be assigned |
| Examiner Name | To be assigned |
| Attorney Docket Number | 5003073-049US1 |

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

+

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | | | |
|---|---|----|---|--------------------------|-------------------|
| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | To be assigned |
| | | | | Filing Date | November 25, 2003 |
| | | | | First Named Inventor | Richard Mertens |
| | | | | Group Art Unit | To be assigned |
| | | | | Examiner Name | To be assigned |
| | | | | Attorney Docket Number | 5003073-049US1 |
| Sheet | 3 | of | 4 | | |

[illegible]

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|---|--|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | | | | |
| | 30 | EP 0 538 904 B1 | 4/28/1993 | Kimberly-Clark | | |
| | 31 | EP 0 566 118 B1 | 10/20/1993 | Kimberly-Clark | | |
| | 32 | EP 0 614 914 B1 | 9/14/1994 | FIDIA S.p.A. | | |
| | 33 | EP 0 637 594 A2 | 2/8/1995 | Nippon | | |
| | 34 | EP 0637 594 B1 | 2/8/1995 | Nippon | | |
| | 35 | EP 0 850 615 A1 | 7/1/1998 | Procter & Gamble | | |
| | 36 | EP 0 855 405 A1 | 1/21/1998 | Degussa AG | | |
| | 37 | JP 2001 114803 | 4/24/2001 | Unitika Ltd. | | |
| | 38 | JP 3 285919 | 12/17/1999 | Sekisui Plastics | | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | | | |
|--|---|----|---|--------------------------|-------------------|
| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | To be assigned |
| | | | | Filing Date | November 25, 2003 |
| | | | | First Named Inventor | Richard Mertens |
| | | | | Group Art Unit | To be assigned |
| | | | | Examiner Name | To be assigned |
| | | | | Attorney Docket Number | 5003073-049US1 |
| Sheet | 4 | of | 4 | | |

[illegible]

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|---|--|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | | | | |
| | 39 | JP 6 3037143 | 2/17/1988 | Daicel Chem. | | |
| | 40 | JP 9 087956 | 3/31/1997 | OJI Paper Co. | | |
| | 41 | WO 95/11925 | 5/4/1995 | Kimberly- Clark | | |
| | 42 | WO 99/49905 | 10/7/1999 | BASF Corp. | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**